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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION**

OF: RHEINHEIMER ET AL.  
SERIAL No. 10/089,148  
FILED: MARCH 27, 2002

CONFIRMATION No.: 9823  
GROUP ART UNIT: 1625  
EXAMINER: J. L. COPPINS

FOR: NOVEL BENZL AMIDOXIME DERIVATIVES, INTERMEDIATE PRODUCTS  
AND METHOD FOR THEIR PRODUCTION AND USE AS FUNGICIDES

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Alexandria, Va 22313-1450, on:

September 07, 2004

Date of Deposit	Mary Chadwick
Person Making Deposit	<u>Mary Chadwick</u>
Signature	<u>Mary Chadwick</u>
Date of Signature	<u>September 07, 2004</u>

Honorable Commissioner  
for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY TO**

**NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

Sir:

In reply to the Notice of Non-Compliant Amendment of August 31, 2004, it is respectfully requested that the attached Substitute Listing of Claims entered and considered. The Substitute Listing of Claims replaces Appendix I, pages 7 to 11, of Paper No. 08. Favorable action is solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

*HB Keil*

Herbert B. Keil  
Reg. No. 18,967

1350 Connecticut Ave, N.W.  
Washington, D.C. 20036  
(202) 659-0100

Encl.: THE SUBSTITUTE LISTING OF CLAIMS (Appendix I)

HBK/BAS

Paper No. 10